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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,267	12/18/2001	Scott Leahy	03801.P070	5680

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EXAMINER

HU, JINSONG

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/025,267

Applicant(s)

LEAHY ET AL.

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6, 8, 9, 21-28, 62-69 and 85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 8-9, 21-28, 62-69, and 85 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. Claims 1-3, 6, 8-9, 21-28, 62-69, and 85 are presented for examination.

Claims 1-3, 21-22, 28, 62-63, 68, 69, and 85 are amended, claims 4-5 are canceled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 8-9, 21-28, 62-69 and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Win et al. (US 6,453,353) in view of Duvvoori et al. (US 6,021,438).

4. As per claims 1-2 and 9, Win teaches the invention as claimed including a method to provide access to services of an online commerce site that includes a plurality of servers, the method comprising:

receiving an access request from a client [col. 6, lines 58-65];

identifying a first server of the plurality of servers [104, Fig. 1; col. 7, lines 34-44]

to which to direct the client for generating an access rule associated with the client and the first server [col. 5, lines 21-32; col. 14, lines 44-60; col. 18, lines 1-27]; and

transmitting the access rule to the client [col.6, lines 41-54].

Win does not specifically teach that the user's request including API function call in Win's system because doing so would API function call and the server is an API server. However, Duvvori on the other hand teaches that the user's request including API function call and the server is an API server [i.e., server for handling API function call] [col. 15, lines 17-43; col. 16, lines 16-56]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Duvvori's API function call in Win's system because doing so would make service request procedure less complicated by simply invoke the service application.

5. As per claim 3, Win teaches a second server that provides a service level different from server, and wherein the access rule is associated with client based on a service level agreement between the client and the online commerce site [col. 5, lines 44-54].

6. As per claim 6, Win teaches the online commerce site is a network-based auction site [col. 1, lines 29-37; i.e., the transaction including any service type].

7. As per claim 8, Win teaches the step of searching a database table for a record containing an access rule to reply to the client [106, Fig. 1].

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8. As per claims 21 and 27, Win teaches the invention as claimed including a method to facilitate access to services on an online commerce site, the method comprising the steps of receiving a service request from a client for access to a service on a server supporting the online commerce site [col. 1, lines 29-37; col. 6, lines 58-65], the service request including at least a portion of an access rule associated with the client and the server [col. 17, lines 28-37; i.e., user's role indicates privilege level], the access rule having been previously provided to the client by the online commerce site [col. 6, lines 41-65]; and validating the service request based on the access rule [col. 8, lines 36-63].

Win does not specifically teach that the user's request including API function call in Win's system because doing so would API function call and the server is an API server. However, Duvvouri on the other hand teaches that the user's request including API function call and the server is an API server [i.e., server for handling API function call] [col. 15, lines 17-43; col. 16, lines 16-56]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include API function call in Win's system because doing so would make service request procedure less complicated by simply invoke the service application.

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9. As per claim 22, Win teaches the step of validating the service request based on whether a URL in the access rule is associated with the server [col. 8, lines 36-46].
10. As per claims 23 and 24, Win teaches the access request includes an application identifier [col. 8, lines 47-63].
11. As per claim 25, Win teaches the access request includes a session certificate [col. 5, line 66 – col. 6, line 9].
12. As per claim 26, Win teaches the access rule includes a CallName [col. 17, lines 28-37].
13. As per claim 28, Win teaches the server is an on-line auction server [col. 1, lines 29-37; i.e., the transaction including any service type].
14. As per claims 62-69, since they are computer program claims of claims 1-6 and 8-9, they are rejected for the same basis as claims 1-6 and 8-9 above.
15. As per claim 85, since it is a computer program claim of claim 1, it is rejected for the same basis as claim 1 above.


Conclusion

16. Applicant's arguments with respect to claims 1-6, 8-9, 21-28, 62-69 and 85 have been considered but are moot in view of the new ground(s) of rejection.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jinsong Hu
September 29, 2006